

Prepared by: Nectaria M. Chakas, Esq.
Applicant: The Housing Authority of the City of Ft. Lauderdale
Project Name: Sistrunk Gardens / Northwest Gardens IV
Request: Vacation of Easement – 6' wide utility easement

July 11, 2012

I. General Description of Request.

The Housing Authority of the City of Ft. Lauderdale ("Applicant") is proposing to construct a multifamily affordable housing project on land located at 1436 NW 6th Street located in the Tuskegee Nova Plat (Plat Book 85, Page 42) (the "Property"). There is an easement which divides the property and the Applicant is seeking to vacate this easement in order to unify the property in one development parcel:

6' wide utility (FPL) easement which runs east and west on the Property

The Applicant is proposing to redevelop the property and relocate all utilities to correspond to the new site plan, and new easements (as needed) will be granted to the applicable utility companies. All removal and relocation expenses will be borne by the Applicant.

II. ULDR 47-24.7.A.4 – Criteria for vacation of Right-of-Way.

a. The easement is no longer needed for public purposes.

APPLICANT'S RESPONSE: The Applicant is redeveloping the site and will be demolishing all existing structures. All new utilities will be provided via connections at the property line and new easements (as needed) will be granted to the utility companies.

b. All utilities located within the easement have been or will be relocated pursuant to a relocation plan; and the owner of the utility facilities has consented to the vacation; or a portion of the easement area is maintained; or an easement in a different location has been provided by the utility facilities by the owner to the satisfaction of the city; or any combination of same.

APPLICANT'S RESPONSE: As noted above, the use of utility easements will not be needed because the applicant will be removing and relocating any utilities which conflict with the proposed site plan. The Applicant will provide new easements (if requested) to cover the new utility areas.